

U.S. BANKRUPTCY COURT
District of South Carolina

Case Number: **18-02495-dd**

Settlement Order

The relief set forth on the following pages, for a total of 3 pages including this page, is hereby ORDERED.

FILED BY THE COURT
06/28/2018



Entered: 06/28/2018

David R. Duncan
Chief US Bankruptcy Judge
District of South Carolina

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:)	Case No. 18-02495-dd
)	Chapter 7
Dectric Lamentrius Barnes,)	
)	
)	
Debtor.)	
_____)	

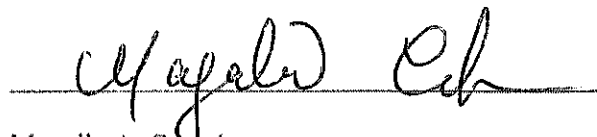
SETTLEMENT ORDER

The proceeding before the Court is the motion for relief from the automatic stay (the "Motion") filed by Nationstar Mortgage, LLC d/b/a Mr. Cooper, ("Movant"). Janet B. Haigler, Trustee, objects to the Motion and has requested time to allow the Trustee to investigate the value of the real estate since there appears to be equity in the Property. No other objections were filed and all other parties who were served are now in default. The Movant and the Trustee have reached an agreement which disposes of the issues related in this matter. The Court believes that the agreement should be approved and adopted as the Order of this Court.

IT IS THEREFORE ORDERED that Movant's motion for relief from the automatic stay is granted to allow Movant to proceed with foreclosure of its mortgage lien up to the point of sale as to the real property located at 413 Henneghan Road, Coward, Florence County, South Carolina 29530. During that time, the Trustee may attempt to market the subject property. Upon the expiration of six (6) months from the entry of this Order, if the Trustee has a contract for sale in place, which is sufficient to satisfy Movant's secured claim in full, Movant will allow the Trustee sufficient time to close on such contract, but not to exceed ninety (90) days from the date of such contract. If the Trustee fails to obtain an acceptable contract of sale within the initial six (6) month period, if any such contract fails to close within the subsequent ninety (90) day period, or if the Trustee determines at any time that there is insufficient equity in the property to successfully market same, the Trustee will promptly notify counsel for Movant, at which time the stay shall be automatically lifted without

further notice, hearing, or order of this Court so as to allow Movant to immediately pursue foreclosure actions in the Court of proper jurisdiction against its Collateral, including making demand for payment of the amount due. Movant shall report to this Court any funds received as a result of a lawful disposition of the Collateral in excess of its total indebtedness plus any other valid lien against the Collateral. Movant agrees to waive any claim arising under 11 U.S.C. §503(b) or §507(b) as a result of this Settlement Order. Movant agrees that any funds realized in excess of its debt or any other valid lien holders' debt will be paid to the Trustee.

I certify that this order contains a true and complete statement of the agreed upon terms of settlement between the parties.



DATE: 6/26/2018

Magalie A. Creech
Attorney for Movant
District ID #10871
Finkel Law Firm LLC
1201 Main Street, Suite 1800
Columbia, SC 29201
Phone (803) 765-2935
Fax (803) 252-0786
mcreech@finkellaw.com



DATE: 6-26-2018

Janet B. Haigler
Attorney for Trustee
District ID # 5708
PO Box 505
Chapin, SC 29036
Phone (803) 261-9806
jhaigler@haiglerlawfirm.com